1894-033 Chancery Causes: Sanford Chamberlain & Albers] vs. William C. Herndon & Lee Co.

Sanford, Chamberlain, Albers, Parsons, Woodward, Stapleton, Pennington

-Deeds

CA-Debt
T-Property

To the Hon. N. S. K. Morrison, Judge of the circuit Court for Lee County:

Humbly complaining your orator A. J. Sanford, W. F. Chamberlain, and A. J. Albers, partners in trade under the style & firm of Sanford, Chamberlain and Albers respectfully represent unto your honor, that at the special instance and request of W. C. Herndon on the 30th day of Oct. 1898 they sold and delivered to the said W. C. Herndon in the city of Knoxville, a certain & large quantity of goods amounting to $77.08 with interest from the 1st day of March, 1899, at which time the said amount will become due & payable, and at his direction all of said goods were shipped to said Herndon at Pennington Gap Va.; that at the time ~~your orator~~ sold said Herndon said goods, the records of the county court of Lee County showed him & he represented himself to be the owner of a large quantity of unincumbered land lying & being in Lee County in the Pocket & Cumberland country, — land conveyed to him by the heirs of Charles Pennington dec'd, Larkin Herndon & John B. Pennington, Noah Hughes & wife and John C. Stapleton & wife and all of which he was then in the possession of, & using as his ~~own~~ copies of the deeds to the land he offered to owe are here filed as part of this bill & marked

Your orator will further show unto your honor, that a portion of said goods sold said Herndon, if

not all, together with about 40 head of cattle, the goods in his store house at the time, and also other goods bought about the same time from other wholesale merchants, were on or about the 10th day of Nov. 1893 turned over to his father Larkin Sturdevan, & his brother John R. Sturdevan who are now in the possession of the same selling and disposing of them, that said goods & cattle were turned over to the said Larkin & John R. Sturdevan without a valuable consideration or at best a consideration anything like the value thereof.

Your orator will further show unto your honor that said sum of money will become payable on the 1st day of March 1894; that in a few days after said W.C. Sturdevan transferred said goods and cattle as aforesaid, he absconded this state and is now a non resident thereof. That to your orator's great surprise on Nov. 10. 1893. one David Parsons lodged with the clerk thereof and has recorded in the County Court Clerk's office of Lee County a deed signed by said W.C. Sturdevan & wife, dated and acknowledged Mch. 14, 1893, whereby said Sturdevan & wife conveyed to said Parsons all his land in consideration of $5000.00 "in hand paid" to said Sturdevan except the said Stapleton tract, and that part thereof included in the conveyance from John B. Pennington

Larkin Hendon dated July 30th 1889 that at the time Complainants said said Hendon said goods and anytime afterwards until it was recorded did they have any notice whatever of the existence thereof; that along note said deed was made without any consideration being paid down and was made for the sole purpose of hindering delaying & defrauding the creditors of said Hendon in the collection of their debts and especially that of Complainants

Your orator will further show unto your honor that on Nov. 10, 1893 said W.C. Hendon made & acknowledged another paper giving to one William Woodward a lien on all his land except the portion before conveyed to said Parson & the Stapleton tract to secure the sum of $675.00. Complainants aver that this pretended lien is void because voluntary & was made for no other purpose than to defraud said Hendon Creditors. A Copy of the same is here filed; marked "Lien" & prayed to be considered part of this bill.

The Premises therefore considered Complainants are advised that they have rights in a court of Equity; that said that said John T. & Larkin Hendon will be compelled to account for all of said

W. C. Herndon's effects that went into this hands, that said deed of said Herndon & wife to said Parsons and said bill in favor of said Woodward will be declared null & void as to said Herndon's creditors not having notice thereof at the time they made their debts with said Herndon, and especially will it be null & void as to your orators.

The Prayer thereof of your orators is that W. C. Herndon, William Woodward, Larkin Herndon, John T. Herndon, David P. Parsons & John A. Stoffleton be made parties defendants to this bill of complaint; that each be required to answer its general allegations on oath; that by virtue of the affidavit herewith filed marked "Affidavit" made pursuant to section §2 p. 64 of the Code of 1887. an attachment issue herein and be levied upon said Herndon's effects & the same held until a future order of the court; that said John T. & Larkin Herndon, for what if anything the said W. C. Herndon owed them, when, where & from whom they got the money or other thing which they let the said Herndon have whereby he became indebted to them, the date of each item of indebtedness, the number, kind & value of said coffin, an itemized statement or an invoice

of all the goods & cattle of any kind & the price they gave therefor which was turned over to them as either of them by said W.C. Herndon; that David D. Barnes specially answer the true amount he has paid, if anything, which he paid on the land mentioned in Deed of March. 14, 1893; when & where & from whom he obtained the money or other thing whereby he paid said Herndon on said land, how much if anything he still owes on said land; that said William Woodward will specialy answer on oath when & for what & said W.C. Herndon became indebted to him, the true amount thereof & when it became or will become due, & when where & from whom he obtained the money or other thing whereby said Herndon became indebted to him; that on a final hearing of this cause your orator be a judgment be given them for the said sum of money, that said deed, lien & transfer of goods & cattle be annulled and set aside, and that enough be sold to satisfy your orators claim and the costs of this suit; that an order of Publication be made for W.C. Herndon as the law requires in such cases, & that all other further & general relief be granted

your orator at the notice of his claim
may require. Your orator forgot
to state that the lien recorded on the Stoffle-
tow tract for the purchase money
has long since been paid, & that
there are no other liens on the said
real estate of W. C. Sheridan, & that
the rents & profits of said land were
not pay in five years the claim & the
costs of this suit. May process
issue & Your orator will ever
pray &c.

Pennington & Bros

P.q.

1st Jany 1894

Samford Chamberlain & Wife

vs. } Bill in Chancery

W C Herndon et al. Dfts.

1894 1st Jany Rules Bill filed & pa Issued on home Defts Ord Pub for Nonresidents and D. N. Dfts Home Defts

2nd Jany R. D. N. for home Defts confd

1st Feby Rules Contd for Ord Pub

2nd " " Ord Pub Completed & set for hearing by Plffs.

11 June Term Decree & Contd

C 8.94
S 2.50
MMP 2.50
C of C 5.75
Printer 5.00
Atty 5.00
$29.69

Dfts Costs
$1.60

Pennsylvania Bros P.Q.

E. J. SANFORD.
W. P. CHAMBERLAIN.
A. J. ALBERS.

MONTHLY STATEMENT.

Knoxville, Tenn., 11/24" 1893.

Mr. W. C. Hamilton,
Cynthia, Va.

IN ACCOUNT WITH

SANFORD, CHAMBERLAIN & ALBERS,
WHOLESALE DRUGGISTS.

INTEREST CHARGED AFTER MATURITY. PREPAY REMITTANCES BY EXPRESS.

1893.	To Balance Rendered,		
Oct. 20	To Mdse.	$77	08
	Notary fee		50
		$77	58

Sanford Chamberlain & Albers

State of Tennessee:
: to wit;
Knox County :

I, E. H. Kurtz, a Notary Public in and for said County and State, do certify that W. P. Chamberlain, this day made oath before me, that the foregoing account, amounting to $77.58 is to the best of his knowledge and belief, justly due, and that he claims interest on the same from the 1" day of March 1894.

Given under my hand this 24" day of November 1893.

E. H. Kurtz
Notary Public.

ESTABLISHED 1864.

Sanford, Chamberlain & Albers,

IMPORTERS, MANUFACTURERS & WHOLESALE DEALERS IN

Drugs, Chemicals, Paints, Oils, Patent Medicines

Warts Family Medicines.

Window Glass, Fancy Goods & Perfumeries.

Book 352.
Folio 78.
Salesman Hale.

E.J. SANFORD.
W.P. CHAMBERLAIN.
A.J. ALBERS.

Knoxville, Tenn. 10/30/1892.

Sold to Mr. W. C. Brandon,
Cynthia, Va.

TERMS: via: Penn. Gap, Va.
Interest will be charged on all bills not paid at maturity. All Claims for deduction must be made in 10 days After receipt of Goods.

1	~	Gt. G. S. R. F. Cure,		10	50
1	doz.	Godfrey's Cord.			50
1	"	Bateman's Drops,			50
1/2	gro.	Ess. Cinnamon	3 50	1	75
1/2	"	" Peppermint,	"	1	75
1	doz.	Paregoric,			40
1	"	Laudanum,			60
1	"	Sweet oil			60
1	"	Oil Cinnamon,			60
2	gall.	Turpentine,	can 50 50	1	50
1	doz.	N. Iron,			60
1	"	" Iodine			60
1	gall.	Castor oil.	can 35 1 50	1	85
1/2	gro.	Black Ginger,	12 00	6	00
1	doz.	Hot Drops,			75
1	"	White oil,		2	00
1	"	N. & B. Liv.		1	50
1	"	H. & C. Powd.		1	50
1	"	Tutt's Pills.		1	50
1	~	Note Book			00
1	~	Bill "			00
1	doz.	Neg Mem. Books,			75
1	"	Lumber Pencils.			60
1	"	Hair Pins, assd.			75
1	"	6 in. R.H.D. Combs.			60
1	"	900 Beads,			40
1/2	"	W. Hair Brushes,	2 50	1	25
3	"	Dyes	75	2	25
16	#	Nat. Leaf Tobacco,	44	7	04
30	"	Mix. Candy. 4 25	9	2	95
48	"	Mst. Fun. Tobacco,	32	15	36
2	bx.	Raisins,	2 25	4	50
1	case.	Soda		3	35
28	#	XXX Crackers	6	1	68
		C. & C.			60

Paid 08

Duplicate

Sawyer & Chamberlain & Others

vs.

W. C. Hamilton

#74.5-8

To the Honorable H.S.K.Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate answer an demurrer of John P.Herndon to a bill in ~~chan~~ chancery exhibited against him and others in this honorable court by E. J.Sandford, W.P.Chamberlain and A.J.Albers, partners trading under the firm name of Sandford Chamberlain & Albers.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c. And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him answering he says:

That he has filed his answer to a bill in chancery exhibited ~~again~~ against him and others in thsi court by Powers Little & Co., ha has also filed his separate answer to another bill in chancery exhibited against him and others in thsi court by Cowan McClung & Co., and he has also filed his separate answer to a bill in chancery exhibited against him and others in this court by Berry Gilliam & Co., all of which causes are still pending in this honorable court, all have a common purpose with the bill filed by complainants, all ~~have~~ contain almost identically the same allegations except as to the amount claimed, and all are against identically the same persons. Respondent refers to said several answers and adopts them as a part of this his answer in this case, and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

Swoorn to before me this the 5th day of March 1844 by John P Herndon

Swoorn to & Lyatt p d

A R B Munsey Clerk

a b

W.C.Herndon et als.

Ads. } Separate Demurrer and Answer of John P.Herndon one of the defendants.

Sandford Chamberlain & Albers-

Duncan & Hyatt, p.d.

Filed in open court March the 9th 1894
A B Muncy clk

To the Honorable H.S.K.Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate answer and demurrer of Larkin Herndon to a bill in chancery exhibited against him and others in this honorable court by E. J.Sandford, W.P.Chamberlain and A.J.Albers, merchants and partners trading under the firm name of Sandford, Chamberlain & Albers.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c. And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him, answering, he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers,Little & Co.,he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Cowan McClung & Co., and he has also filed his separate answer to another bill in chnacery exhibited against him and others in this court by Berry Gilliam & Co., all of which causes are still pending in this honorable court, all have a common purpose with the bill filed by complainants, all ~~have~~ contain almost identically the same allegations except as to the amount claimed, and all are against the same persons. Respondent refers to said several answers and adopts them as a part of this his answer in this case, and prays that they may be regarded as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

Duncan K.Hyatt p.d.

Sworn to before me this the 5th day of March 1891 by Larkin Herndon

C.H.B.Munsey, Clerk

26.

W. C. Herndon et als.

Ads. } Separate Demurrer and Answer of Larkin Herndon, one of the defendants.

Sandford, Chamberlain & Albers.

Duncan & Hyatt, p.d.

Filed in open court March 9th 1894 A B Murray Clerk

SANFORD, CHAMBERLAIN & ALBERS

vs, In Chancery.

W. C. Herndon et al

The depositions of Wm P. Chamberlain

taken before me, C. E. Tompkins,

a notary public in and for the county of Knox, and State of Tennessee, persuant to notice hereto annexed at the office of Henry. Fenton, 254 Gay street, in the city of Knoxville, in the said county and state on the 2nd day of February, 1894, between the hours of 7 A. M. and 8 P. M. of that day, to be read as evidence in behalf of the SANFORD, CHAMBERLAIN & ALBERS in a certain suit in equity depending in the Circuit Court of Lee county, Virginia, wherein Wm. C. Herndon, John. P Herndon, Larken Herndon, Wm. Woodward and David. P. Parsons are defendants, and said SANFORD, CHAMBERLAIN & ALBERS. is plaintiff.

Present for defts'

for plaintiff

The witness W. P. Chamberlain a witness of lawful age after being duly sworn deposes as follows, to wit:

Ques. 1st Please give your name age, residence and occupation

Ans. Wm P. Chamberlain, age 53. residence Knoxville Tennessee, occupation Wholesale Druggist,

Ques. 2. What is your connection with the Plaintiffs in this suit?

Answer. I am a partner in the firm of Sanford Chamberlain & Albers, and look after the extension of credits to customers,

Quest 3 State whether the said W C Herndon is indebted to said Plaintiffs in any sum or sums of money, if so what amount and when due?

Answer The said W. C. Herndon is indebted to the firm of Sanford Chamberlin & Co. to the amount of ($77.08) Seventy seven and 08/100 dollars for the articles set forth in duplicate invoice attached to this deposition, and marked Exhibit A. The goods were sold on the usual 4 months time.

Quest. 4 When said Sales were made to said Herndon did he or did he not make any representations as to his financial condition, if so what were they?

Answer He made no representation as to his financial standing, except to refer us to Cowan McClung & Co. for information on ~~this~~ the point of his financial standing. We were told on inquiry of Cowan McClung & Co. that they had reliable information that the said Herndon was possessed of considerable real estate, worth from ten to fifteen thousand dollars.

Quest 5 State whether or not you or the plaintiffs

in this suit had any knowledge of the existence of the deed dated March 14th 1893 & mentioned in Plaintiffs Bill, at the time or any time prior thereto that said Herndon made said purchase.?

Answer. I did not know of any such sale of real estate. & would not have extended credit had I known that he had been disposing of property on which credit was based or asked for.

And further this deponent saith not

W. P. Simuelson

Sanford Chamberlain vs Allen

vs } Depositions

W. C. Herndon et al

Recieved by mail in good condition Feby the 4th 1894 and filed Feby the 5th 1894

A. B. Murray Clerk

Tennessee.

County of Knox. to wit

I C. B. Tompkins a notary public for the county of Knox in the said state do hereby certify that the fore-going depositions of Wm J. Chamberlain

were duly taken, sworn to, and subscribed before me at the time and places and for the purpose therein mentioned.

Given under my hand and seal this 2nd day of February 1894

C. B. Tompkins
Notary Public

PROPRIETORS OF

EXCELLENCE
Pills Discovery Relief

Dr. Harts Family Medicines.

ESTABLISHED 1864.

Sanford, Chamberlain & Albers,

IMPORTERS MANUFACTURERS & WHOLESALE DEALERS IN

Drugs, Chemicals, Paints, Oils, Patent Medicines

Window Glass, Fancy Goods & Perfumeries.

E. J. SANFORD.
W. P. CHAMBERLAIN.
A. J. ALBERS.

Book 357.
Folio 78.
Salesman Hale.

Knoxville, Tenn. 10 30 1892.

Sold to Mr. W. C. Hendon,
Cynthia, Va.

TERMS: via: Penn. Gap. Va.

Interest will be charged on all bills not paid at maturity, All Claims for deduction must be made in 10 days After receipt of Goods.

Exhibit A

Duplicate

1	~	Cpt. G. S. R. F. Cal		10	50
1	doz.	Godfreys			50
1	"	Bateman's			50
1/2	gro.	Ess. Cinnam.	3 50	1	75
1/2	"	" Peppt.	"	1	75
1	doz.	Paregoric			80
1	"	Laudanum			60
1	"	Sweet oil			60
1	"	Oil Cinnamon			60
2	gall.	Turpentine	c 50 50	1	50
1	doz.	Fr. Iron			60
1	"	" Iodine			60
1	gall.	Cast. oil	c 35 1 50	1	85
1/2	gro.	Black Quiger.	12 00	6	00
1	doz.	Hot Drops			75
1	"	White oil		2	00
1	"	H. & C. Pond.		1	50
1	"	N. & B. Lin.		1	50
1	"	Tutt's Pills		1	50
1	~	Note Books			00
1	~	Bill "			00
1	doz.	No 9 Mem. Books			75
1	"	Lumber Penc.			60
1	"	Hair Pins. assd.			75
1	"	6" R.H.D. Combs			60
1	"	400 Beads			40
1/2	"	W. Hair Brushes	7 50	1	25
3	"	Dyes	75	2	25
16	#	Nat. Leaf Tob.	44	7	04
30	"	Mix. Candy	b 25 9	2	95
48	"	W. Tenn. Tob.	32	15	36
2	box.	Raisins	2 25	4	50
1	case	Soda		3	35
28	#	Crackers XXX	6	1	68
		C & C.			60

1/4/08

Sanford, Chamberlain & Albers

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

Take notice that on the 2nd day of February 1894 at the office of Henry Fenton, 253 Gay Street in the City of Knoxville, Knox County, State of Tennessee I will proceed to take the deposition of H. P. Chamberlain and others to be read as evidence on behalf of D. J. Sanford, H. P. Chamberlain and A. J. Albers partners in business under the style name of Sanford, Chamberlain & Albers in a certain suit in Equity now pending in the Circuit Court of Lee County, State of Virginia wherein said Sanford, Chamberlain & Albers Plaintiff and you and each of you are Defendant. And if from any cause the taking of said depositions are not begun on that day, or being begun not complete, the same will be continued from day to day or from time to time and if desired from place to place, until the same are complete. You may attend and cross-examin if you wiso.

January 4 1894

Veay Respectfully.

Sanford, Chamberlain & Albers

per Counsel

Sanford Chamberlain & Albus vs Notice to Take Depositions

Wm C. Herndon et al

Executed on Jan. 12th 1894 by delivering a copy of the within Notice to each of the following named persons, to wit: John P. Herndon, Sarah Herndon, Wm Woodward, David Parsons & John A. Gambleton.

W M Pennington

Virginia, Lee County, to wit:
The foregoing return signed by Wm M. Pennington was this day sworn to by him before me in my county aforesaid. Given under my hand this Jan 18th 1894

E. H. Flannigan
Notary Public

Sanford, Chamberlain & Albers

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

Take notice that on the 2nd day of February 1894 at the office of Henry Fenton on 253 Gay Street in the City of Knoxville, Tenn County, State of Tennessee, I will proceed to take the deposition of N. P. Chamberlain and others to be read as evidence on behalf of W. S. Sanford, N. P. Chamberlain and A. J. Albers, partners in trade under style name of Sanford, Chamberlain & Albers

in a certain suit in Equity ——— now pending in the Circuit Court of Lee County. State of Virginia wherein said Sanford, Chamberlain & Albers Plaintiff and you and each of you are Defendants And if from any cause the taking of said deposition be not begun on that day, or being begun not completed, the same will be continued from day to day or from time to time and if desired from place to place, until the same are complete. You may attend and cross-examin if you wish.

Jan. 4th 1894

Veay Respectfully. Sanford, Chamberlain & Albers

per Pennington Bros

Counsel

Mrs. Herndon

Virginia Lee County, to wit:-

This day E.W. Pennington agent for E. J. Sanford & W. P. Chamberlain & A. J. Albers partners in trade under the style & firm of Sanford Chamberlain & Albers ~~personally appeared~~ plaintiffs in a certain cause in Chancery now pending in the Circuit Court for Lee County against W. C. Herndon et al to recover a certain debt from said Herndon personally appeared before me A. G. Hyatt a notary public in and for said County of Lee & State of Va. and in my county aforesaid & made oath that 1st he truly believes the said plaintiffs claim is just, 2nd that he believes the said plaintiff is entitled and ought to recover at least in the said suit against said Herndon a debt for the sum of $47.58 with interest from ~~Oct~~ 1st day of March 1874. 3rd That to the best of the affiant's belief the said W. C. Herndon is not a resident of the state of Va. but has effects in Lee Co. 4th That the said Herndon has converted, is converting or is about to convert his property or some material part thereof into money securities and evidences of debt with the intent to hinder, defraud & delay his creditors. 5th That said Herndon has assigned his property or is about to assign & dispose of his or some part thereof with the intent to hinder, defraud & delay his creditors. & especially Sanford Chamberlain & Albers & summons. Given under my hand this Dec 7th 1875

A. G. Hyatt
Notary Public

Sayford & Chowlurlous Atters

57

vs. } Affidavit

W. C. Shrudow

Filed Decr the 7th 1894

A B Munsey Clerk

Deed Book 5[illegible], page [illegible].

This deed made and [illegible] day of [illegible] between William C. Brown and Cynthia A. Brown of the first part and [illegible] of the second part, witnesseth that in consideration of the sum of five thousand dollars to them paid the receipt whereof is hereby acknowledged, [illegible] William C. Brown and Cynthia A. Brown hereby sell and convey unto the said [illegible] Parsons a certain tract or parcel of land in the Chickamauga District on waters and Jones Creek waters of the North Fork of Peavine Creek [illegible] and bounded as follows: [illegible] on a stake on the north bank of said Creek [illegible] thence [illegible] time [illegible] W ___ [illegible] to A. J. Bailey's land and with line of same [illegible] to a stake [illegible] thence [illegible] and with [illegible] adjoining with [illegible] line of A. J. Bailey's [illegible] thence with his several lines and corners to a corner in Alfred Johnson's land [illegible] Parsons [illegible] thence with lines and corners of said Parsons [illegible] to a stake [illegible] and [illegible] to a stake [illegible] and with line [illegible] to a stake [illegible] and with line [illegible] to the beginning. [illegible] of land [illegible] land purchased by W. C. Brown from [illegible] Brown and from [illegible] Johnson and [illegible] and forever hold [illegible] and William C. Brown and his and William C. Brown and Cynthia Brown parties of the first part do warrant [illegible]

ally the land hereby conveyed . Witness the following sig-
nature and seal, the year and day first written .

William [illegible] (seal)

Charles [illegible] (seal)

State of Virginia , County of Lee , to wit :

I, T.M.Parsons a justice of the peace in and for
the county and state aforesaid do certify, that William C. Gordon
and Charles [illegible] his wife whose names are signed to
the foregoing deed bearing date on the [illegible] day of [illegible] 1890
acknowledged the same before me in my county aforesaid.
Given under my hand and seal this the [illegible] day of [illegible]
1890.

T.M.Parsons J.P.

Virginia Lee County, to wit :- In the clerk's office of Lee
county the [illegible] day of [illegible] 1890 this deed
presented and admitted to record with the certificate thereon annexed
and [illegible] to record.

Test: [illegible] Clerk.

Virginia Lee County, to wit:

This day [illegible] Gallagher personally appeared before
me in my county aforesaid, [illegible] that he
had copied the foregoing deed from the records of the county
court of the said county , and that the same is a true and correct
copy from the said record. This 28th. [illegible] 1890.

[illegible] J.P.

A copy - Test S. W. Richmond clerk

Deed Book No 23, page [illegible].

This deed made and [illegible] day of Nov 1873 by and between W.T. Harrison of the first part and and William Southard of the second part of the county of Lee in State of Virginia the party of the first part with [illegible] the party of the second part a tract or parcel of land [illegible] bounded as follows, Beginning [illegible] at the mouth of [illegible] creek running with the line [illegible] to the top of [illegible] thence with the meandering channel to the [illegible] dividing line and with said line to the [illegible] waters of North Fork of Powell River and with meanderings of said waters to the beginning. This conveyance is to [illegible] the party of the second part for the use of his lifetime and [illegible] the party of the second part which [illegible] the party of the first part. The [illegible] and which [illegible] to the party of the second part [illegible] in fee. Witness the following signature and seal. J.C. Harrison (seal)

Virginia Lee County, to wit:-

I, J.F. Morgan a justice of said county in the state aforesaid do certify that W.T. Harrison whose name is signed to the foregoing and annexed deed on the 1st day of Nov 1873 this day personally appeared before me in my county aforesaid and acknowledged the same to be his act and deed. Given under my hand and seal this [illegible] day of Nov 1873.

J.F. Morgan J.P.

A copy - Teste S.V.H. Richmond Clerk

Virginia Lee County to wit: In the office of the Clerk of the Circuit Court of said County, and to either with the certificate of Nov 18 93. This deed was admitted to record, Teste: S.V.H. Richmond Clerk

Deed Book No . . , page 100.

This deed made this the 30th day of July 1883 between John P. Pennington and Larkin Herndon of the ~~first~~ one part and and William C.Hern don of the other part . J.B.Pennington now a resident of Hawkins County Tennessee and the other hand party of the second Virginia . Witnesseth that in consideration of the sum of $00 .00 fifty dollars in hand paid the receipt of ~~which~~ whereof is hereby acknowledged on said John P. Pennington and L. Herndon do grant bargain and sell unto the said William C.Herndon a part in trace or parcel of land lying and being in the County of Lee and State of Virginia to wit, a part of a trace of land assigned to John Pennington Sr . by commissioners to wit, a part of the Mc Cradie survey and bounded as follows to wit: Beginning at the mouth of Jones Creek Crossing the North Fork of Powels River southwardly up the northside of said mountain with perpendicular line to the top of said mountain thence eastwardly with top of same with the varying meander's thereof to the original Mc Cradie line and with line thereof northwardly to the north Fork of Powels River thence westwardly with the varied meandrings thereof to the beginning . And the before said John P.Pennington and Larkin Herndon do covenant and agree with the said William C.Herndon to warrant generally the land hereby conveyed with all of its appurtenances thereto the following signature and seals the number of acres not known but by the boundary be the same more or less .

John P.Pennington (seal)

Larkin Herndon (seal)

Virginia Lee County, to wit :I,John A.G.Hyatt clerk of the circuit court for Lee county state aforesaid do hereby

certify that John P. Pennington and Philip Sermon whose names are signed to the foregoing, deed bearing date on the 20th day of Sept 1890 each personally appeared before me and made oath acknowledged the same to be their act and deed for the purpose therein mentioned. Given under my hand this 20th of Sept 1890.

J. H. Gibson Clerk.

Virginia: County to wit:

In the office of the clerk of the said county, May the 20th 1890 this deed was presented with the certificate annexed and admitted to record.

Test John H. Gibson, Clerk.

A Copy Teste: J. V. K. Shumate Clerk

Virginia: County to wit:

This day J. P. Pennington personally appeared before me a notary public in and for the county and state aforesaid and made oath that he had compared the foregoing deed from the records of the county court of the County on file in the clerk's office of the said court, and that the same is a true transcript therefrom.

Given under my hand this the ___ day of Feb. 1931.

_____ T.P.

H. C. Sheridan

From { Copy of Deed

John B. Pennington

Fee for Copy

$0.50

Deed Book No/20 page 1[illegible]

This deed made this the 7th day of March 1007 between John C. Completon and Armenia Completon his wife of the first part and W. Frank Hanson of the second part all of the county of Lee and State of Virginia. Witnesseth that in consideration of the sum of two hundred dollars in hand paid and secured to be paid by the party of the second part the receipt of which is [illegible] hereby acknowledged, the said parties of the first part by these presents give grant sell and convey unto the party of the second part a certain tract or parcel of land lying and being in the said county of Lee and on Jones Creek to wit: Crabtree's concerning by estimation thirty and a half acres be the more or less [illegible] bounded as follows: Beginning on the line pole line of poles from white oak and hickory on the north side of a branch on a white pine. S.[illegible] W. [illegible] poles to a red oak on the top of a ridge and with said ridge N 30 1/2 W [illegible] poles to a pine and chestnut on the top of a high spur. N 30 1/2 W [illegible] poles to a little pine and chestnut. N 30 W [illegible] poles to two chestnut oaks. N 30 1/2. W [illegible] poles to a white oak hickory and two white spanish oaks, thence N. 1 1/2 E [illegible] poles to a chestnut in the top of a deep hollow N 30 E [illegible] to the beginning. To have and to hold the said tract of land and the appurtenances unto the party of the second part forever. And the party of the first part covenant that they will warrant generally the title to the land hereby conveyed. And the party of the first part hereby reserve to themselves the vendor's lien on said land until the purchase money therefor is fully paid. Witness the following signature and seal,

John C. Completon (seal)

Armenia Completon (seal)

Virginia Lee County, to wit :-

I, John A. Hyatt, com'r in chan. for said to certify that John C Thompson, whose name is signed to the foregoing deed dated March [illegible] 1907 personally appeared before me in said county and acknowledged the same, giving to be his act and deed. Given under my hand this the [illegible] day of March 1907 J. A. Hyatt Com'r.

Virginia Lee County, to wit -------- I, John A. Hyatt com'r in chancery for said county, do certify that Amanda Thompson wife of John C. Thompson whose name is signed to the foregoing deed bearing date the [illegible] day of March 1907 personally appeared before me in said county and being examined by me privily and apart from her husband and being informed by me that she could decline to sign the said deed if she should think proper, she did then and there acknowledge the same. Given under my hand this the [illegible] day of March 1907.

John A. Hyatt com'r in chancery for Lee County court.

Virginia: In the Clerk's office, Feb. [illegible] 1908. The foregoing deed bearing date March [illegible] 1907 between John C. Thompson and Amanda his wife of the first part and W. C. Harrison of the second part was in said county filed in said clerk's office and admitted to record upon the foregoing certificate of John A. Hyatt a commissioner in chancery for Lee County court. Teste: J. W. Richards Clerk

A Copy Teste: J. W. Richards Clerk

This day W. C. Harrington personally appeared before me a notary public for the said county and acknowledged he had copied the foregoing deed from the records of the said county court and that the same is a true transcript from the said records, on file in the county court clerk's office.

This Feb. _____ 1908.

H. C. Herndon

Firm, Copy of Deed

John C. Stoffelsie vs.

Fee for Copy

$0.50

Deed Book No. 20, page 112.

This deed made november the 9th 1889 By and between M.C.Parsons of the first Part and Craig Herndon of the second part bothof the county of Lee and state of Virginia. Witness that the party of the first part doth grant bargain sell and convey to the party of the second part his undivided interest in Charles Pennington now deceased estate that he bought of Anderson Robins wife and heirs aforesaid Charles Pennington Ded for the sum of one hundred dollars in hand paid the receip of which is hereby acknowledged, the aforesaid M.C.Parsons binds himself to warrant generally the land hereby generally conveyed with all its appurtenances forever. Witness my hand and seal day and year first written M.C.Parsons (seal)

Virginia Lee County to wit: I, V.H.Kelly notary public for the afor said county do certify that M.C.Parsons whose name is signed to the above deed bearing date Dec. 9th 1889, personally appeared before me in my county aforesaid and acknowledged his signature to this deed to be correct for the purpose mentioned in the above deed. Given under my hand this Nov 9th 1889.

V.H.Kelly, N.P.

Virginia Lee County to wit: In the office of the clerk of the said county May the 6th 1890, this deed was presented and with the certificatethereto annexed admitted to record.

Test John R.Gibson, Clerk.

A Copy - Teste: S.V.T. McNurow Clerk

Virginia Lee County to wit: This day R.L.Pennington personally appeared before me in a notary public for the county and state aforesaid in my county aforesaid and made oath that he had copied the foregoing deed from the records of the county court of said county on file in the said court's clerk's office, and that the same is a true transcript therefrom.

This Feb. ___ 19__.

_____ N.P.

T. C. Hendon ~~Dec'd~~

From { Copy of deed
T. C. Parsons

Fee for Copy $0.25

Deed Book No. 2, page 104.

THIS DEED of conveyance made this the 14th day of March 1840; and between John G. Pennington and Prudence Pennington his wife Daniel Pennington and Martin J Robins and Mary A robins of the county of Lee and State of Virginia and Green B. Pennington and Susan his wife of the county of Perry and State of Kentucky of the first part and William C Harrison of the second part of the county of Lee and state of Virginia of the second part witnesseth that for and in the consideration of the sum of $200.00 dollars in hand paid the receipt of which is hereby acknowledged the said parties of the first part do grant bargain sell and convey unto the parties of the second part all of their right and title in the Charles Pennington tract of land lying and being in the county of Lee and state of Virginia on the waters of Jones Creek and bounded as follows to wit: Beginning at a march and white oak on the west bank of Jones creek thence westwardly to a poplar thence to a white oak on the top of a ridge thence northwardly to a white oak on a line thence to a white oak on a line thence to a wagon road said road southwestwardly to a beech at the mouth of the first hollow near the bank of Jones Creek and with said creek to the mouth of said creek to Joseph Mitchell corner thence westwardly with the said Mitchell line to the Charles Pennington line and with the said line to the beginning. The parties of the first part do warrant generally the land hereby conveyed the parties of the second part to have and to hold forever. Witnesseth the following signature and seal this the 14th day of March 1840

John G. Pennington (seal)

Prudence Pennington (seal)

Martha Jane Robins (seal)

Daniel Pennington (seal)

Green T.Pennington (seal)

Susan Pennington (seal)

Mary A.Hobins (seal)

State of Virginia, Lee County to wit :

I, Frances E.Parsons a justice of the peace for the aforesaid county and state do certify that John C.Pennington and Parthenia Pennington his wife Martha J Hobins and Daniel Pennington whose names are signed to the foregoing deed bearing date on the 10th day of March 1880 , acknowledged the same in my county and state aforesaid to be their act and deed and do not wish to retract it. Given under my hand and seal this day and date first above written .

F.E.Parsons J.P.

State of Kentucky , County of Perry

I, Ira J Davidson clerk for the county court for the county and state aforesaid do certify that the foregoing deed of conveyance from John C.Pennington&wife to William C Harrison was this day presented in my in the county aforesaid and acknowledged before me ~~IN MY OFFICE AFORESAID~~ by Green T Pennington and Susan his wife to be their act and deed and the same is admitted to the proper office for record . Given under my hand this 10th day of March 1880 .

Ira J. Davidson clerk

By W.A Cornett D.C.

State of Virginia County of Lee , to wit :

I, F.E.Parsons , a justice of the peace for the county and state ~~&~~ aforesaid do certify that Mary A Hobins whose name is signed to the foregoing deed bearing date on the 10th day of March 1880 , acknowledged the same ~~&~~ before me in

in my county and state / certificate as to her age and race and consent was required to. Given under my hand this 7th day of April 1.90.

W.M.Parsons J.P.

Virginia: Come to wit:

In the office of the clerk of the said court.

May the 8th 1.90 this deed was presented and with certificates (marriage) marriage was ordered to record

Teste John A Tyler Clerk.

A Copy Teste: D. V. Richmond clerk

Virginia: Come, to wit:

This day W.M.Pennington personally appeared before me a notary public in and for the county and state aforesaid and said that he had copied the foregoing deed from the records of the county court of the county on file in the county clerk's office thereof, and that the same is a true transcript therefrom. Given under my hand this the ___ day of February 1.90.

_____ N.P.

Herr Herndon

From Copy of Deed

John C. Pennington to —

The Jas Copy No. 750

Deed Book No. 20 ,page 100.

THIS DEED of conveyance made this the 5th day of February 1880, and Between Tobias Hughs and Martha Hughs and Peggie Parsons of the first part and all of the county of Lee and State of Virginia and William C. Vernon of the county and State of aforesaid of the second part, Witnesseth that for and in consideration of the sum of Eight hundred Dollars in hand paid the receipt of which is hereby acknowledged the parties of the first part do bargain sell and convey unto the parties of the second part certain tract or parcel of land lying and being in the county of Lee and State of Virginia adjacent on Meads Creek waters of the north Fork of Powell river being two hundred acres be the same more or less and bounded as follows to wit: being the land where David Hughs now lives and adjoining the land of Samuel Parsons ,James Mullen and Mathew Zion and the parties of the second part to have and to hold forever . and the parties of the first part the land hereby conveyed . Witness the following signature and seal the day and date above written .

Tobias F.Hughs (Seal)

Martha Hughs (seal)

Margarett K .Parsons (seal)

State of Virginia :

County of Lee

I,F.M.Parsons a justice of the peace for the aforesaid county do certify that Tobias Hughs and Martha Hughs his wife and Peggie Parsons whose names are signed to the foregoing deed bearing date on the 5th day of February 1880 acknowledged the same before me in my county and state aforesaid to be their act and deed and does not wish to retract it .

Given under my hand this the 6th day of February 1880

F.M.Parsons J.P.

Virginia Lee county ,to wit: In the office of the clerk of the said county May the 6th 1880 this deed was presented and with the certificate thereto annexed admitted to record .

Test John R.Gibson clerk .

Virginia Lee County to wit: A copy - Teste: S. V. T. Richmond clerk

Personally appeared before me / R.W.Pennington a notary public in and for the county and state aforesaid ,R.I.Pennington and made oath that he had copied the foregoing deed from the records of the county / court of Lee county on file in clerks office of the said county court , and that the same is a true transcripe therefrom . Sworn before me this the ___ day of Feb. 1894.

_____N.P.

W. C. Herndon

From { Copy of Deed
Tobias Hughes

Fee for Copy $0.50

Deed Book No . 25 . page 111

THIS DEED made this ~~the~~ Dec.21" in the year of our Lord 1889 between Rebecca J.Robins and James A. robins of the first part and and William C. Herndon and Cynthia Herndon ~~of~~ ~~the~~ his wife of the county of Lee and state of Virginia of the second part WITNESSETH that for and in consideration of the sum of $95.00 Dollars in hand paid the receipt ~~of~~ whereof is hereby acknowledged the said party of the first part do grant bargain and sell to the said party of the second part al of ~~the~~ their right title and undivided interest in the Charles ~~F~~ Pennington farme lying and being in the said county of Lee and lying on the waters of jones creek and bounded as follows BEGINING on a beech and white oak on east bank of Reeds creek near its mouth thence southwardly to a poplar on Jones creek ~~&~~ thence ~~northe~~eastwardly to a white oak on the top of ridge thence north~~e~~eastwardly to a white oak on a flat thence northwesrwardly to awagon road thence southwardly to a beech at ~~the~~ mouth of a hollow near the bank of Jones creek thence southwardly with said creek to Joseph Marcum's corner thence southwardly with said Marcum's line to the old Charles Pennington line thence southwardly back to the Beginning . and the said party of the first part do covenant with the party of the second party that they will warrant generally the land hereby conveyed . Witnesseth the following signatures and seals .

James ~~X~~ his H .RObons (seal)

Rebeca ~~X~~ mark Robins (seal)

Witnesses

M.Graham

Z.T.Robins

Perkins countyChickasaw Nation Feb22/90

Ervin Springs

Chickasaw Nation Perkins County Chickisaw Nation Feb 22/90

Personally appeared before me S.W.Wallace a U.S. Commissioner Janes H.Robins and his wife Rebecca Robins to me well known and signed and acknowledged to me that it was for ~~the~~ consideration therein expressed and set forth the above and foregoing deed or instrument of writing convey a tract of land to WILLIAM C. HERNDON and his wife THis Feb 22"/89o

Samuel W.Wallace

U.S. COMr for Indian

Territiry

Virginia Lee County to wit :In the office of the clerk of the said county May the 6th 1890this deed was presented and with the certificate thereto annexed admitted to record

Test John R.Gibson Clerk.

A copy - Test J. V. Richmond Clerk

Virginia Lee County to wit;

I,R.E.W.Pennington ,a Public notaryin and for the said county and state aforesaid do certify that R.L.Pennington personally appeared before me in my countyafore said and made oath that he copied the foregoing deed from the records of the county court of Lee county on file in the clerk's office of the county county court of said ~~LL~~ coumty ,and that the same is a true transcript from the recod . Given under my hand this the ____day of Feb. 1894.

_____NHP.

_____ Ills.

_____ day of _____ 188_

Right Hon. Lord Mayor Glasgow. Dear Sir: I have transmitted from the Grand Master Grand Lodge of Illinois a certificate of the same to the Clerk, Cook Co. Illinois, that he could find no record of the Lodge in Illinois Cook Co. Illinois, and that the Lodge Secretary of the Lodge at Chicago, Illinois, Cook Co. Illinois, has been duly notified of the same and requested to forward the original to me in my capacity as Grand Secretary. Yours fraternally, Jno. C. Smith, Secretary.

Illinois Lodge No. 1, A.F.&A.M.

Chicago, Illinois, November, 1884.

Right Hon. Lord Mayor Glasgow:

Dear Sir and Brother:

Brother Jno. C. Smith, Secretary of the Grand Lodge of Illinois, has forwarded to me your letter of the 10th ult. in the office of the Comptr. of Cook Co. Illinois, and I have duly presented the same to the Grand Master, who directed me to inform you that the Lodge was duly organized under a dispensation from the Grand Lodge of Illinois, and that the Lodge Secretary, Brother Jno. C. Smith, has been duly notified of the same.

Fraternally yours,

Samuel M. Matthews

Secretary.

Copy of Reply

Illinois Lodge No. 1

Chicago, Ill.

Nov. 25th 1884

Dear Sir and Brother: Your letter of the 10th ult. addressed to Brother Jno. C. Smith, Secretary of Illinois Lodge No. 1, A.F.&A.M. Chicago, Ill. has been referred to me as Secretary of the Grand Lodge of Illinois, and I have carefully examined the records of the Grand Lodge of Illinois, and find no record of the Lodge in question, and I have duly notified the Secretary of the Lodge at Chicago, Illinois, Cook Co. Illinois, that the Lodge has been duly organized under a dispensation from the Grand Lodge of Illinois, and that the Lodge Secretary, Brother Jno. C. Smith, has been duly notified of the same.

Fraternally yours,

Samuel M. Matthews

U. S. Comr. for Illinois

Rebecca Rosenberg

Secretary

Illinois Lodge No. 1

Chicago, Ill.

W. C. Schroeder

Deed Book No. 23 Page 534 .

From John B.Pennington & Larkin Herndon

THIS DEED made this the 15th day of Oct 18'4 by and bet between John B.PPennington ~~and~~ and Larkin Herndon of the Com county of Lee and State of Va of one part and and WILLIam C. Herndon of the county and State aforesaid ofthe etger part WITNESSETH that for and in the consideration of the sum of Fo Four Hundred and fifty Dollars in hand paid the receipt of wh which is hereby acknowledged , the said John B.Pennington and Larkin Herndon do grant bargin and sell unto the said Wlliam C. Herndon acertain tract or parcel of ~~a~~ land lying and being in the county of Lee and State of Virginia . ~~BEGINNING~~ Being apart of the John MC Radies' 14,050 acre survey which was partitioned by among the heirs of Edward Pennington Dc.this being a portion of the lot assigned to John Pennington Sr. and by him by deed to John Penningtin, ~~Sr.~~ and Larkin Herndon said land is lying in lower Crabercherd and between the North Fork of Powel's River and Jones Creek and Reeds Creek bounded as follows to wit BEGINNING at a poplar on the east bank of Reeds Creek corner to Charley Penn ing ton's Dc. land near the ford of said creek and with said creek southwardly 90poles to its mouth on the north bank of North Fork of Powels River thence eastwardly with the meanderings thereof to ~~the~~ astake the original line and with said line N 38 W ___to a gum two chestnuts and a Spanis oak corner to A.Ba ileys land and with lines of ~~the~~ same N. 24 W.28 poles to,awhite oak and ~~a ch~~ thence N.35 W42 poles to 3 white oaks thence North west with Parkers lines to Jones creek and with said creek to Charles Penningtons Dc lines and with his lines to the beginning supposed to contain three to four hundred acres be it the same the more or less And the said JohnB.Pennington and Larkin Herndon do covenant

with the said Williwam C.Herndon that they will warrant generally the title to the land hearby conveyed .Witness the following signatures and seals ~~LaWhn B.Pennin(seal)(seal)~~

John B. Pennington (seal)

Larkin Herndon (seal)

Virginia Lee County to wit :

I, JOhn A.G.Hyatt acomr in chancery for Lee County court the same being a court of record do certify that John B.Pennington and Larkin Herndon ,whose names are signed to the foregoing wr////ng/// deed bearing date on the 15th day of oct 1'84 ,personally appeared before me in my county aforesaid and each acknowledged the same to be their act and deed for the purpose therein stated .

Given under my hand this the 7th day of January 1885

J.AG.Hyatt comr &c

Virginia lee county court clerks office March the 4th 1889

THe foregoing deed bearing Date Oct 15 th 1884 between Jh john B.Pennington and Larkin Herndon ///// of the one part and William C.Herndon of the other part all of Lee County Va . was this day filed in the ~~clerks~~ office and admited to record up on the certificate of J.A.G.Hyatt acomr for Lee County Va

Test J.R.Gibson Clerk .

A copy Teste S. V. Richmond

I E.W.Pennington , anotary public in and for the county of Lee and State of Va . do hereby certify that R.L.Pennington personally appeared before me and made oath that he has copied the foregoing deed and that the same is atrue transcrip of record on file in the county court ///// clerk's office

Given under my hand this the ____day of Feb. 1894.

[illegible] day to day ____ and it has been said
to be a fact that no blood [illegible] and
difficulties arise and some day they begin quarreling and begin
[illegible] and [illegible] the [illegible] of the
[illegible] and [illegible] of the [illegible] and
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]

Sandford & Chamberlain Albany

v.s. } Copy of Deed

H. C. Sheridan et al.

Fee for Copy
$1.0

Examined

Ballard & Ballard & Co

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

Take notice that on the 2nd day of February 1894 at the office of Ballard & Ballard Company in the City of Louisville County, State of Kentucky I will proceed to take the deposition of A. Thornton Ballard and others to be read as evidence on behalf of Ballard & Ballard & Co in a certain suit in Equity now pending in the Circuit Court of Lee County. State of Virginia wherein said Ballard & Ballard & Co Plaintiff and you and each of you are Defendants And if from any cause the taking of said deposition shall not begun on that day, or being begun not complete, the same will be continued from day to day or from time to time and if desired from place to place, until the same are complete. You may attend and cross-examin if you wish.

Jan 24 1894

Veay Respectfully.

Ballard & Ballard & Co

per Pennington & Bros

Counsel

Everett Waddey,
Stationer and Printer,
Richmond, Va.
Form No. 301.

In the Clerk's Office of the Circuit Court of the County of Lee on the 1st day of January 1894

Sanford Chamberlain & Albers Plaintiff,
against
W. C. Herndon et als Defendant.

In Chancery

The object of this suit is to set to set aside and annul the deed of W. C. Herndon to David P. Parsons dated March 14th 1893; 2nd to set aside and declare void the deed made by W. C. Herndon & wife to Wm Woodward dated Nov the 10th 1893; 3rd to annul the transfer of goods & chattels made by W. C. Herndon to John P. & Larkin Herndon on or about Nov the 10th 1893. And 4th that a judgment be given in favor of the Plff against the Defendants for the amount specified on the bill & the same be paid out of said property, thereby satisfied.

And an affidavit having been made and filed that the defendant W. C. Herndon is not a resident of the State of Virginia, it is ordered that he do appear here, within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Lee County Republican and that a copy be posted at the front door of the court-house of this County on the first day of the next term of the County Court.

A copy—Teste:

Pennington Bros p. q. A. B. Munsey Clerk.

FORM No 301.

Sanford Chaimbelain v. Albert

vs. } ORDER OF PUBLICATION.

W. C. Herndon et al

I A B Munsey Clerk of Circuit Court do certify that I delivered to the Lee County Republican the within order on the 1st day of January 1894 for publication and posted a copy thereof at the front door of the Court house at the January Term 1894 of the County Court

A B Munsey Clerk

West, Johnston & Co., Richmond.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon William A. Herndon, Martin Herndon, John P. Herndon, Lloyd P. Parsons, William Woodward and John C. Stoplebon

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the 1st Monday in January, 1894, to answer a bill in Chancery, exhibited against them in our said court by E. J. Sandford, W. P. Chamberlaine and A. J. Albro, partners in trade under the style of firm of Sandford Chamberlaine & Albro

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 8 day of Dec 1893 and in the 118 year of the Commonwealth.

A. B. Munsey Clerk.

A copy Teste

A B Munsey Clerk

Executed Dec., 1893 by delivering an office copy of the within subpœna in chancery and attachment to John P. Herndon, Larken Herendon, John C. Stapleton, Wm. Woodward and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herendon described as follows:

all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. —-- po to a gum 2 chestnuts and a spanish oak corner to A, J. Bailey's lnnd, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samual Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No 25.-163.

A B Murray Clerk

SUBPŒNA
IN CHANCERY.

vs.

.....

.....

.....

West, Johnston & Co., Richmond.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon William Woodward William C. Herndon John L. Herndon, Lewis Herndon David Jones, and John A. Stapleton

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the 1st Monday in Jan, 1894 to answer a bill in Chancery, exhibited against E. J. Sand for & W. P. Chamberlain E. J. Sand & Partner in trade under the style & firm of Sand for & Chamberlain v. Others in our said court by

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 8 day of Dec 1893 and in the 118 year of the Commonwealth.

A. B. Munsey Clerk.

Executed Dec., 13 1893 by delivering an office copy of the within subpœna in chancery and attachment to John P. Herndon, Larken Herendon, John C. Stapleton, Wm. Woodward and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows:

all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to-wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. —— po to a gum 2 chestnuts and a spanish oak corner to A, J. Bailey's lnnd, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po. to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samual Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.

A. B. Munsey Clerk

Sanford Brainbelow v. Allen

SUBPŒNA IN CHANCERY.

vs.

Wm. Herndon et als

Pennington Bro. p. q.

To 1st January 1894 Rules,

Circuit Court.

In the clerks Office of the circuit court of the county of Lee on the 1st day of January 1894.

Sanford Chamberlain & Albers . Piffs
vs. } In Chan'y
W. C. Herndon et al Deft.

The object of this suit is to 1st to set aside and annul the deed of W. C. Herndon to David P. Porsons dated March 14, 1893; 2nd to set aside and declare void the deed made by W. C. Herndon and wife to Wm Woodward dated Nov'r 10th 1893; 3rd to annul the transfer of goods and chattels made by W. C. Herndon to John P. and Larkin Herndon on or about Nov'r the 10th 1893; and 4th that a judgment be given in favor of the piffs against the defendant for the amount mentioned in the bill and the same be satisfied out of said property thereby conveyed.

And as affidavit having been made and filed that the the defendant W. C. Herndon is not a resident of the state of Virginia, it is ordered that he do appear here, within fifteen days after the publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Lee County Republican, and that a copy be posted at the front door of the court house of this county on the first day of the next term of the county court.

A copy—Teste:
A. B. Munsey Clerk.

Pennington Bros. p q 5-10

I, W. P. Dryden & Sons publ
isher of the LEE COUNTY REPUBLICAN a weekly newspaper, published in the town of Jonesville, county of Lee, and State of Virginia, do hereby certify that the foregoing Order of Publication was duly pudlished in the above named paper for four successive weeks, ending the 1st day of Feb 1894.

pr Sam L Dryden

Publisher, LEE COUNTY REPUBLIBAN

Pennington Bros

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